UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

OFFICE OF THE CHAPTER 13 STANDING TRUSTEE

Isabel C. Balboa, Esquire Chapter 13 Standing Trustee Cherry Tree Corporate Center 535 Route 38, Suite 580 Cherry Hill 08002-2977

In Re:

BRIAN BENEGAR

Case No.:

18-32181

Chapter: 13

Debtor(s) Judge:

Jerrold N. Poslusny Jr.

Order Filed on February 21, 2019 by Clerk U.S. Bankruptcy Court District of New Jersey

## **INTERIM CONFIRMATION ORDER**

The relief set for on the following page is hereby **ORDERED**.

DATED: February 21, 2019

Honorable Jerrold N. Poslusny, Jr. United States Bankruptcy Court

The Court finds that interim confirmation of the Chapter 13 Plan is in the best interest of debtor and the parties-in-interest. Therefore,

### IT IS HEREBY ORDEERED as follows:

- 1. The Chapter 13 Plan dated 11/07/2018 is approved on an interim basis only. The plan is subject to final confirmation and further order of the Court. All of the rights of all parties are reserved until the final confirmation hearing.
- 2. The Standing Chapter 13 Trustee is authorized to make distribution, with a percentage fee, on account of the following claims:
  - a) allowed attorneys' fees;
  - b) secured creditors;
  - c) priority creditors, and
  - d) adequate protection payments provided for in the debtor's Chapter 13 plan.
- 3. The arrearage claim of the creditor <u>Ditech Financial</u> shall not be paid by the Standing Chapter 13 Trustee, as provided in the plan or as designated in the proof of claim, pending the termination of the Loss Mitigation Period.
- 4. The debtor(s) shall make periodic payments until further order of the Court as follows: \$400.00 per month, beginning 12/01/2018.
- A hearing on final confirmation is scheduled for 4/3/2019 at 10:00 am, at the United States Bankruptcy Court, District of New Jersey, 401 Market Street, Camden, NJ 08101.
- 6. If the debtor should fail to make plan payments for a period of more than 30 days, the Standing Trustee may file with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

# Case 18-32181-JNP Doc 22 Filed 02/23/19 Entered 02/24/19 00:37:37 Desc Imaged

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re: Brian Benegar Debtor Case No. 18-32181-JNP Chapter 13

### **CERTIFICATE OF NOTICE**

District/off: 0312-1 User: admin Page 1 of 1 Date Rcvd: Feb 21, 2019

Form ID: pdf903 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 23, 2019.

db +Brian Benegar, 538 New Freedom Road, Berlin, NJ 08009-9534

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.  $\,$  TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 23, 2019 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2019 at the address(es) listed below:

Andrew Thomas Archer on behalf of Debtor Brian Benegar aarcher@brennerlawoffice.com, bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com

Denise E. Carlon on behalf of Creditor DITECH FINANCIAL LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Rebecca Ann Solarz on behalf of Creditor DITECH FINANCIAL LLC rsolarz@kmllawgroup.com U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6